

ORIGINATION FORM

Date: April 17, 2014

Originator: Thomas Bane P.E.

Contact Information: State Utilities Engineer, Mail Station 75 605 Suwannee Street Tallahassee Florida 32312, Wk (850)414-4379, Fax (850)414-5361

Specification Title: 7-11 Preservation of Existing Property

Specification Section, Article, or Subarticle Number: 7-11.1 General

Why does the existing language need to be changed? It has been unclear to contractors that FDOT's underground facilities and underground utility lines owned others but permitted by FDOT to be in the R/W are two different things and are treated differently. This clarifies the difference and the words used to describe these objects.

Summary of the changes:

7-11 Preservation of Existing Property.

7-11.1 General: Preserve from damage all existing property within the project limits of or in any way affected by the Work, the removal or destruction of which is not specified in the plans. This applies to, but is not limited to, public and private property, public and private utilities (except as modified by the provisions of 7-11.5), trees, shrubs, crops, sod, signs, monuments, fences, guardrail, pipe and underground structures, Intelligent Transportation Systems (ITS) facilities, traffic control signals and devices, highway lighting, and public highways (except natural wear and tear of highway resulting from legitimate use thereof by the Contractor).

Take responsibility to, locate, including physical exposure as necessary, all Department owned underground facilities as shown on the plans that are affected by the scope of the Contract work. Department owned underground facility locations shown in the plans are approximate. This work is considered incidental to the other work being performed and no direct compensation will be provided. Unless otherwise shown on the plans, Department owned underground facilities will not be located by the Department nor through notification to "Sunshine 811".

Whenever the Contractor's activities damage such existing property, immediately restore it to a condition equal to or better than that existing at the time such damage occurred, at no expense to the Department. Temporary repairs may be used to immediately restore ITS facilities and traffic control signals and devices. Permanent repairs to ITS facilities and traffic control signals and devices shall be made within 90 days of any temporary repairs and prior to final acceptance of the project. Submit permanent ITS facility repair plans to the Engineer prior to beginning repair work.

Protect existing bridges during the entire construction period from damage caused by the Work. Immediately repair, at no expense to the Department, all damage to existing bridges caused by the Work, prior to continuing the Work. The Department will not require the Contractor to provide routine repairs or maintenance for such structures.

Direct special attention to the protection of all geodetic monuments, horizontal or vertical, located within the project.

Whenever the actions of a third party damage such existing property and is not otherwise due to any fault or activities of the Contractor, either restore it to a condition equal to or better than that existing at the time such damage occurred or provide access and coordinate with the Department's maintenance Contractor in accordance with 8-4.4 as directed by the Engineer. The Department will compensate the Contractor for the costs associated with the repairs for restoring the existing property in accordance with 4-4. Theft and vandalism are considered damage caused by a third party.

Are these changes applicable to all Department jobs? yes

If not, what are the restrictions? none

Will these changes result in an increase or decrease in project costs? No

If yes, what is the estimated change in costs? NA

With who have you discussed these changes? Trey Tillander, James Kervin, Daniel Sheer, Frances Thomas, Eddie Register.

What other offices will be impacted by these changes? Construction

Are changes needed to the PPM, Design Standards, SDG, CPAM or other manual? No

Are all references to external publications current? NA

If not, what references need to be updated (please include changes in the redline)? NA

Is a Design Bulletin, Construction Memo, or Estimates Bulletin needed? No

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Contact the State Specifications Office for assistance in completing this form.

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ANANTH PRASAD, P.E.
SECRETARY

M E M O R A N D U M

DATE: May 22, 2014

TO: Specification Review Distribution List

FROM: Daniel Scheer, P.E., State Specifications Engineer

SUBJECT: Proposed Specification: 0071101 Legal Requirements and Responsibility to the Public – Preservation of Existing Property.

In accordance with Specification Development Procedures, we are sending you a copy of a proposed specification change.

The changes are proposed by Tom Bane of the State Utilities Office to clarify the difference between FDOT's underground facilities and underground utility lines owned by others but permitted by FDOT to be in the right-of-way.

Please share this proposal with others within your responsibility. Review comments are due within four weeks and should be sent to Mail Station 75 or to my attention via e-mail at SP965DS, or daniel.scheer@dot.state.fl.us. Comments received after **June 18, 2014**, may not be considered. Your input is encouraged.

DS/ft
Attachment

LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – PRESERVATION OF EXISTING PROPERTY.

(REV ~~5-12-14~~ **5-21-14**)

SUBARTICLE 7-11.1 is deleted and the following substituted:

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